

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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Case No.	2:15-cv-07223-CAS(JPRx)	Date	February 3, 2016
Title	ROBERT L. JARRETT, JR. v. OFFICE OF THE CALIFORNIA ATTORNEY GENERAL, ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER
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Catherine Jeang	Not Present	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:	
Not Present	Not Present	

Proceedings: (IN CHAMBERS) - PLAINTIFF’S *EX PARTE* APPLICATION TO STRIKE DEFENDANTS’ MOTIONS TO DISMISS (Dkt. 23, filed January 27, 2016)

PLAINTIFF’S REQUEST FOR AN EXTENSION TO OPPOSE DEFENDANTS’ MOTIONS TO DISMISS (Dkt. 26, filed February 2, 2016)

The Court is in receipt of both plaintiff’s *ex parte* application “to strike defendants[’] out of time motion to dismiss” (the “application”), dkt. 23, as well defendants’ opposition to the application, dkt. 24. Although it is difficult to discern, plaintiff’s application appears to request that the Court strike as untimely (1) the motion to dismiss (Dkt. 13, January 12, 2016) and notice of errata (Dkt. 14, January 15, 2016) filed by defendants Office of the California Attorney General, California Department of Health Care Services, Kamala D. Harris, Richard T. Waldow, Jonathan E. Rich, David Maxwell-Jolly, and Toby Douglas; and (2) the motion to dismiss (Dkt. 15, January 21, 2016) and joinder (Dkt. 18, January 21, 2016) filed by defendant Parjack Ghaderi.

A review of the electronic docket in this case reveals that plaintiff filed a proof of service on January 8, 2016 indicating that two days prior, on Wednesday, January 6, 2016, defendants in the instant action were served with the operative First Amended Complaint. Dkt. 12. Pursuant to Federal Rule of Civil Procedure 12(a), responsive pleadings were accordingly due no later than January 27, 2016. Accordingly, all of the filings that plaintiff seeks to strike were timely filed.

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Therefore, plaintiff’s *ex parte* application, dkt. 23, is **DENIED** in its entirety. In addition, the Court notes that on February 2, 2016, plaintiff filed an amended *ex parte* application (Dkt. 25) that makes only minor modifications to his previous application (Dkt. 23). The Court is in receipt of this application and accordingly **DENIES** the application. In addition, plaintiff also appears to have filed a noticed motion moving the Court to strike the very same filings that are the subject of the instant *ex parte* application. Dkt. 22. This motion (Dkt. 22) is accordingly **DENIED AS MOOT**, and the hearing date for this motion (Dkt. 22), currently scheduled for February 29, 2016 at 10:00 AM, is hereby **VACATED**.

Finally, plaintiff has also filed a request for an extension of time to oppose defendants’ motions to dismiss. Dkt. 26 (“extension request”). These motions are currently scheduled for February 22, 2016 (Dkt. 13), and February 29, 2016 (Dkt. 15). The Court hereby reschedules the hearings for both of these motions to **March 7, 2016 at 10:00 A.M.** Accordingly, plaintiff may file oppositions to these two motions no later than **Tuesday, February 16, 2016**. Defendants may file their replies to plaintiff’s opposition papers no later than **Monday, February 22, 2016**. Plaintiff’s extension request is accordingly **DENIED AS MOOT**.

IT IS SO ORDERED.

Initials of Preparer

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